

Berrima cum Moss Vale Variation of Trusts Ordinance 2011

No 27, 2011

Long Title

An Ordinance to vary the trusts of certain funds held by Anglican Church Property Trust Diocese of Sydney.

Preamble

A. Anglican Church Property Trust Diocese of Sydney (the "Property Trust") is the trustee of a fund ("Fund 442") held for the purposes set out in the Berrima cum Moss Vale Ordinance 2002, as varied by the Berrima cum Moss Vale Variation of Trusts Ordinance 2006.

B. Fund 442 comprises the balance of the proceeds of the sale of the land in Folio Identifier 19/258713 known as 50 Lytton Road, Moss Vale and insurance proceeds paid in respect to the cottage that was erected on the Berrima Glebe.

C. By reason of circumstances which have arisen after the creation of the trusts on which Fund 442 is held, it is inexpedient to carry out and observe those trusts, and it is expedient that the trusts be varied.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

1. Name

This Ordinance is the Berrima cum Moss Vale Variation of Trusts Ordinance 2011.

2. Declarations

By reason of circumstances which have arisen after the creation of the trusts on which Fund 442 is held, it is inexpedient to carry out and observe those trusts, and it is expedient that the trusts be varied in the manner set out in clause 3.

3. Variation of trusts

The trusts on which Fund 442 are held are varied to the extent necessary to enable the Property Trust to pay an amount or amounts to be applied for any one or more of the following purposes –

- (a) payment of the costs and expenses of and incidental to this Ordinance,
- (b) a sum not exceeding \$35,000 (or such greater amount as the Standing Committee may approve by resolution) towards repair and renovation of the property in Folio Identifier 71/628810 known as 5 Browley Street Moss Vale or by way of reimbursement to the wardens for costs and expenses they have already incurred in undertaking such repairs and renovation,
- (c) a sum not exceeding \$10,500 (or such greater amount as the Standing Committee may approve by resolution) towards the costs of and incidental to demolition of the small hall on the site of St John's Church, Moss Vale, and
- (d) such capital purposes of the Parish of Berrima cum Moss Vale (the "Parish") as may be determined by resolution of the Standing Committee upon application by the Parish Council of the Parish.

I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

PG KELL
Chairman of Committees

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I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 19 September 2011.

R WICKS
Secretary

I Assent to this Ordinance.

PETER F JENSEN
Archbishop of Sydney
20/09/2011